

**AMENDMENT TO RULES COMMITTEE PRINT 116-**

**57**

**OFFERED BY MS. CLARKE OF NEW YORK**

At the end of subtitle E of title X, add the following:

**1 SEC. 1052. PROHIBITION ON USE OF FUNDS FOR DISCRIMI-**  
**2 NATORY ALGORITHMIC DECISIONMAKING**  
**3 SYSTEMS.**

4 None of the funds authorized to be appropriated by  
5 this Act or otherwise made available for fiscal year 2021  
6 for the Department of Defense may be obligated or ex-  
7 pended to acquire or develop artificial intelligence systems  
8 unless the Department, or the vendor of such system,  
9 has—

10 (1) assessed such system, or commits to assess  
11 such system within 1 year of the date of such acqui-  
12 sition or completion of development, with respect to  
13 its potential to perpetuate discriminatory bias  
14 against protected classes of persons, including on the  
15 basis of sex, race, age, disability, color, creed, na-  
16 tional origin, or religion; and

17 (2) sought to address such unintended discrimi-  
18 natory bias prior to deploying such system in any  
19 context where such usage poses a tangible risk of re-

1       sulting in an action which could reasonably been  
2       seen to violate any law, policy, regulation, or other  
3       codified practice of the United States with respect to  
4       anti-discrimination, equal protection, or civil rights.

